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EXAMINER

PADMANABHAN, KAVITA

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/634,250
Filing Date: August 05, 2003
Appellant(s): DESCHRYVER ET AL.

Michael G. Dreznes
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 2/9/10 appealing from the Office action mailed 9/10/09.

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(1) Real Party in Interest

The examiner has no comment on the statement, or lack of statement, identifying by name the real party in interest in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The following is a list of claims that are rejected and pending in the application:

Claims 6-8, 13-17, and 22-25

(4) Status of Amendments After Final

The examiner has no comment on the appellant's statement of the status of amendments after final rejection contained in the brief.

(5) Summary of Claimed Subject Matter

The examiner has no comment on the summary of claimed subject matter contained in the brief.

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(6) Grounds of Rejection to be Reviewed on Appeal

The examiner has no comment on the appellant's statement of the grounds of rejection to be reviewed on appeal. Every ground of rejection set forth in the Office action from which the appeal is taken (as modified by any advisory actions) is being maintained by the examiner except for the grounds of rejection (if any) listed under the subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW GROUNDS OF REJECTION."

(7) Claims Appendix

The examiner has no comment on the copy of the appealed claims contained in the Appendix to the appellant's brief.

(8) Evidence Relied Upon

2002/0026297	Leymann et al.	2-2002
6,678,716	Pronsati, Jr. et al.	1-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Appellant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. **Claims 6-8** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Leymann et al.** (US 2002/0026297, hereinafter “Leymann”).

In regards to **claim 6**, **Leymann** teaches a method for mapping a knowledge base into a hierarchical framework to facilitate reusability of task objects between related work domains, the method comprising:

defining a set of taxonomies comprising members of a universe of activity objects for a first methodology (**Leymann; par [0011]**);

organizing a set of task objects of singular granularity into object groups having in common a relation to one member of the taxonomy (**Leymann; par [0016], par [0072]**); and

publishing onto an application server for access by a user through an electronic display a plurality of documents having a hierarchical linkage, wherein a highest level document displays the set of taxonomies with links to a set of second level documents, each second level document representing an activity object instantiating a single member of the taxonomy, the second level

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document having links to a group of third-level documents, each third level document representing a task objects instantiating a single task object of singular granularity (**Leymann; par [0009], Figs. 1, 2, 3B**);

a methodology mapping for a plurality of methodologies, including the first methodology and a second methodology (**Leymann; par [0049], par [0072], par [0080]**); and

mapping, with the methodology mapping, each methodology of the plurality of methodologies to a selection of a set of taxonomies from the user, whereby an instantiation of an activity object from the first methodology may be reused for the second methodology (**Leymann; Fig. 5; par [0049], par [0072], par [0088]**).

Leymann does not expressly teach receiving the methodology mapping selection from the user through the electronic display.

However, since Leymann teaches that the methodology mapping selection may be performed manually by a user (**par [0006] – par [0007], line 2 – mapping done manually**), it would have been obvious to one of ordinary skill in the art at the time of the appellant's invention to implement the method of Leymann by performing the methodology mapping manually, whereby the methodology mapping selection would be received from the user through the electronic display, in order to give the user more control of the mapping.

In regards to **claim 7, Leymann** teaches the method of claim 6, wherein the activity objects are established by defining a first set of taxonomies sharing in common a first characteristic inherent to each member in the first set of taxonomies; and defining a second set of taxonomies sharing in common a second characteristic inherent to each member in the second set of

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taxonomies; the first set of characteristics being independent of the second set of characteristics; and associating with an activity object one member of the first set of taxonomies and one member of the second set of taxonomies (**Leymann; Fig. 3A; pars [0014]-[0016], par [0049], par [0051], par [0072], par [0088]**).

In regards to **claim 8, Leymann** teaches the method of claim 7, wherein the first characteristic is a time sequence, and the second characteristic is a skill set (**Leymann; par [0044], par [0051], par [0057], par [0073]**).

4. **Claims 13-17 and 22-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Leymann in view of Pronsati et al.** (US 6,678,716, hereinafter “Pronsati”).

In regards to **claim 13, Leymann** teaches every feature, except Leymann does not explicitly describe role information.

Pronsati describes role information (**Pronsati; col. 14, lines 40-46**).

It would have been obvious to one of ordinary skill in the art at the time of the appellant's invention to include roles in Leymann to further compartmentalize the processes (**Pronsati; col. 14, lines 40-46**).

In regards to **claims 14 and 15, Leymann and Pronsati** teach the method of claim 13, wherein the activities include: Human Resources, Unit Management, Finance and Reporting, Performance Measurement, Process and Quality Management, Service Management,

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Technology Enablement, and Facilities and Equipment and wherein the activities include: analyzing, designing, building and testing application (**Pronsati; col. 1, lines 27-51; col. 7, lines 46-51**).

Claims 16 and 17 are rejected for similar reasons as provided for claims 13-15, in addition to **Figs. 2, 5, 7, 10, and 18 of Pronsati**.

Claims 22-25 are rejected for similar reasons as provided for claims 13-15, in addition to **Fig. 6, par [0015], par [0016], and the Abstract of Leymann and the Abstract of Pronsati**.

(10) Response to Argument

1. Claims 6-8 under 35 U.S.C. § 103(a) over Leymann

Independent claim 6

Appellant argues that Leymann does not teach a three level hierarchy as claimed. The examiner respectfully disagrees and asserts that Leyman clearly depicts and describes a hierarchical structure that includes at least 3 levels (par [0009]; Fig. 3B – shows 3 levels).

Appellant argues that Leymann does not teach distinct items on each of the three levels. The examiner respectfully disagrees and asserts that a first level displays taxonomies, the second level displays activities, and the third level represents a task (for example boat->order->specific url to instantiate the order, as depicted in Fig. 3B and described at par [0086]).

Appellant argues that Leymann does not teach that two of the levels include links. The examiner respectfully disagrees and asserts that Leymann clearly teaches a hierarchy that includes at least three levels, and teaches that a user may navigate through the hierarchy

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(Leymann, Claim 1, last limitation), which clearly requires links from one level to the level below it in order for a user to navigate to the next level. The examiner respectfully notes that the term “link” is a broad one that has not been defined by the appellant in a manner that precludes the examiner applying the broadest reasonable interpretation in light of the appellant's specification. Leymann clearly teaches logical links between levels in the hierarchical taxonomy that allows a user to navigate through the hierarchy, which meets the language of the claims as recited.

Appellant argues that Leymann does not teach that the taxonomy is published to an application server. The examiner respectfully disagrees and asserts that the claims do not claim publishing all the documents onto a single server, rather the claims merely require publishing the documents onto a server so that they may be accessed, which Leymann teaches (Leymann; par [0009] – web portal). Moreover, whether the documents are published onto one or multiple servers is clearly an obvious modification to the teachings of Leymann, which has been applied under 35 USC 103(a).

Appellant also argues that Leymann does not teach any mechanism for displaying a plurality of documents to a user or any mechanism for receiving input from a user, and therefore does not teach the limitations “for access by a user through an electronic display,” “receiving from the user, through the electronic display,” and “a selection of a set of taxonomies from the user.” The examiner respectfully disagrees. The examiner first notes that the limitation “access by a user through an electronic display” is recited in the context of “publishing onto an application server *for access by a user through an electronic display*,” and is therefore merely an intended use of publishing onto an application server and need not be given patentable weight. Nevertheless,

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Leymann teaches publishing onto an application server for access by a user through an electronic display (Leymann; par [0009] – teaches user being able to access published documentation via web portal). Leymann also clearly teaches providing a user with the hierarchical taxonomy scheme and allowing the user to navigate the hierarchy (Leymann; abstract – user navigating and selecting; claim 1, last limitation), which requires the user to interact with an electronic display. Moreover, the examiner respectfully asserts that the rejection has been made under 35 USC 103(a) and that the limitation being argued was rendered obvious, and not anticipated, by the teachings of Leymann, as set forth in the rejection above. To clarify, although Leymann *does not expressly teach* receiving the methodology mapping selection from the user through the electronic display in the embodiment relied upon for the rejection, Leymann teaches elsewhere in its disclosure that the methodology mapping selection *may be performed manually* by a user (par [0006] – par [0007], line 2 – mapping done manually), rendering it abundantly *obvious* that the methodology mapping in the embodiment relied upon may also be performed manually by a user, whereby the methodology mapping selection would be received from the user through the electronic display, in order to give the user more control of the mapping. Therefore, claim 1 has been properly rejected under 35 USC 103(a).

2. Claims 13-17 and 22-25 under 35 U.S.C. § 103(a) over Leymann in view of Pronsati

Appellant's arguments are substantially the same as with respect to claims 6-8 and have been addressed above.

Arguments of the Advisory Action

Appellant argues that Fig. 3B of Leymann as a whole shows a taxonomy, and that the first level of Leymann cannot be characterized as a taxonomy. The examiner respectfully disagrees and asserts that the first category “boat” qualifies as a taxonomy, i.e. classification or structure, that relates to boat information and that links to the next lower level of the hierarchical classification.

Appellant also argues that Leymann does not teach that the taxonomy is published onto an application server, but does not provide any specific reasons as to why the appellant believes that Leymann does not teach this feature. The examiner respectfully disagrees with the appellant’s argument and asserts that Leymann clearly describes publishing documents to a server, which constitutes an “application server,” so that they may be accessed via a web portal as a single point of access (Leymann; par [0009]).

Appellant argues that Leymann does not teach any mechanism for displaying a plurality of documents to a user or any mechanism for receiving input from a user. The examiner respectfully disagrees and asserts that Leymann teaches providing a user with the hierarchical taxonomy scheme and allowing the user to navigate the hierarchy and select services (Leymann; abstract – user navigating and selecting; claim 1, last limitation), which undoubtedly requires displaying the taxonomy to a user and receiving input from the user, e.g. selecting.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner’s answer.

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For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/K. P./

Primary Examiner, Art Unit 2161

Conferees:

/Apu M Mofiz/

Supervisory Patent Examiner, Art Unit 2161

/Mohammad Ali/

Supervisory Patent Examiner, Art Unit 2158